IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,
AT HYDERABAD

THE HON'BLE MR JUSTICE A.GOPAL REDDY
and
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO : 18398 of 2007

Date:13.09.2007

Between:

J. Nagaratnam

..... PETITIONER

AND

1. The Station House Officer, Korukonda Police Station, Korukonda Mandal, East Godavari District and another.

.....RESPONDENTS

ORAL ORDER: (per Hon'ble Sri Justice A. Gopal Reddy)

This writ petition has taken up on the basis of the Telegram dated 24.08.2007 addressed by the wife of the alleged detenu, namely, Pradeep, alleging that her husband was illegally taken away by the police of Anti Naxal Squard under the control of S.P. on 23.08.2007 from CPL (ML) New Democracy Office, Rajahmundry and apprehending danger to the life of her husband.

In response to the notice, the Sub-Inspector of Police, Korukonda Police Station, the first respondent herein, filed counter affidavit stating that on the credible information O.S.D. (Oerations), the Sub-Inspector of Police, Gokavaram Police Station, along with his staff visited the outskirts of Rampayerrampalem village and found four persons moving under suspicious circumstances and on seeing the police they tried to escape from the scene. Immediately the police chased and apprehended them and on confessional statement said to have been made by the said four persons a case in Crime No.73 of 2007 for the offence under

Section 25(1-B)(a) of Arms Act was registered by the Gokavaram Police on 27.08.2007. The alleged detenu along with three other accused were produced before the V Additional Judicial First Class Magistrate, Rajahmundry for remand, and the learned Magistrate remanded them to the judicial custody. Thereafter, the alleged detenu was enlarged on regular bail on 03.09.2007 whereas the other accused were enlarged on 30.08.2007.

In view of the same, the allegation that the alleged detenu was illegally detained by the police personnel, appears to be not correct.

Accordingly, the Writ Petition is dismissed at the stage of admission.

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(A. GOPAL REDDY, J.)

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(P. SWAROOP REDDY, J.)

13th September, 2007
Js.